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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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STEVEN WAYNE RUSSELL,

Plaintiff,

*versus*

TEXAS DEPARTMENT OF CRIMINAL  
JUSTICE, et al.,

Defendants.

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CIVIL ACTION NO. 1:14-CV-10

**MEMORANDUM ORDER ADOPTING THE  
MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Plaintiff, Steven Wayne Russell, an inmate formerly confined at the Mark Stiles Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* an *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against the defendants.

The court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends plaintiff’s claims against John Doe II and Thomas Herrera be dismissed pursuant to Federal Rule of Civil Procedure 4(m).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. No objections to the Report and Recommendation have been filed to date.

## ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A Final Judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

SIGNED at Beaumont, Texas, this 24th day of January, 2019.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE